

## FOOD AND SUPPLIES DEPARTMENT

The 17th December, 1986

No. FGI-86/33846.—The Governor of Haryana is pleased to constitute the State Food Advisory Committee and to appoint the following as its members to advise the State Government on matters pertaining to Food and Civil Supplies for a period of two years from the date of publication of this notification :—

## (I) Ex-Officio Members

- |  |                  |
|--|------------------|
| (1) Minister of State for Food and Supplies, Haryana/<br>Food and Supplies Minister, Haryana as the case<br>may be | Chairman         |
| (2) Commissioner and Secretary to Government,<br>Haryana, Food and Supplies Department                             | Member           |
| (3) The Director and Joint Secretary to Government<br>of Haryana, Food and Supplies Department                     | Member-Secretary |

## (II) Non-Official Members

- |  |        |
|--|--------|
| (1) Shri Kishori Lal, Ex-MLA, Kalka (Ambala)                                     | Member |
| (2) Shri Ran Singh, Ex-MLA, Kurukshetra  | Do     |
| (3) Shri Balbir Shah, 510/3, Shanti Niwas,<br>Panipat (Karnal)                   | Do     |
| (4) Shrimati Subhashni Devi, Kanya Gurukul, Khanpur<br>Kalan (Sonapat)           | Do     |
| (5) Shri B. R. Ojha, 15/5, Ojha Niwas, Mathura Road,<br>Faridabad                | Do     |
| (6) Shri Hari Singh, Ex-MLA, Mohindergarh  | Do     |
| (7) Shri Vinod Wadhawan of Safidon (Jind), F, 10/5,<br>Model Town, Delhi—7111009 | Do     |

2. The Committee will meet once in four months or on emergent occasions as and when necessary under the Chairmanship of the Food and Supplies Minister and in his absence one of the non-official members present in the meeting will preside over it as may be mutually agreed upon by the members present.

3. The quorum for the meeting of this committee shall be three members present of whom atleast one will be non-official member.

4. The Headquarter of the Committee will be at Chandigarh.

5. The members of the State Food Advisory Committee shall draw travelling allowance as under :—

- The State Legislators in the *ex-officio* capacity under the Punjab Legislative Assembly (Allowances of Members) Act, 1942 and the rules made thereunder, as in force at present or as may be amended thereafter.
- Non-officials other than MLAs one first class railway fare plus daily allowance as admissible to a first grade Government employee. The other conditions laid down in T.A. rules for Government employees will also apply to journey performed by non-official members except as otherwise provided.
- The expenditure on account of T.A. bills of the members of legislature will be paid by the Food and Supplies Department direct. The T.A. bills of the members of the Legislature will, however, continue to be countersigned by the Secretary, Haryana Vidhan Sabha.
- The Travelling Allowance for attending the meeting of the committee will be allowed to the members from their permanent place of residence to the place of the meeting. If, however, a member attends a meeting from a place other than the place of his permanent residence, T. A. will be allowed to him either from the place of his residence or from where he attends the meeting whichever is less.

- (e) The T. A. and D. A. will be admissible to the non-official members (other than MLAs) on the production of a certificate to the effect that no T.A. in respect of the journey or D.A. for the period mentioned in the bills has been or will be claimed by him from any other official source.
- (f) The Director Food and Supplies and Joint/Deputy Secretary to Government, Haryana as Secretary of the Committee shall act as the Controlling Officer and is authorised to counter-sign the T. A. bills of non-official members (other than MLAs) of the State Advisory Committee.

The expenditure involved shall be charged to the Major Head "309—Food and Direction and Administration (Directorate Staff)."

The issues with concurrence of the Finance Department conveyed,—vide their U.O. reference No. 9(1)-2FG-II-84/3657, dated 2nd December, 1986.

VISHNU BHAGWAN,

Commissioner and Secretary to Government, Haryana,  
Food and Supplies Department.

### IRRIGATION AND POWER DEPARTMENT

The 20th November, 1986

No. 11845/214/1-L.—Whereas it appears to the Governor of Haryana that land specified below is needed by the Government, at the public expense, namely, for constructing 1-L Khanak Minor from R. D. 0-10000 off-taking at R. D. 19935/L Khanak Minor in village Ratera, Kirawar and Khanak in Tehsil Bawani-Khera and District Bhiwani.

It is hereby notified that land in the locality described below is required for the above purpose.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894 for information of all to whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana hereby authorise the officer of the Irrigation Branch with their servants and workmen for the time being engaged in the undertaking to enter upon and survey the land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of any land in the locality may, within a period of thirty days of the publication of this notification, file an objection in writing before the District Revenue Officer-cum-Land Acquisition Collector, Bhiwani.

Plans of the land may be inspected in the offices of the District Revenue Officer-cum-Land Acquisition Collector, Bhiwani and the Executive Engineer, Bhiwani Irrigation Division, Bhiwani.

### SPECIFICATIONS

Sr. No.	District	Tehsil	Village	H. B. No.	Area in acres	Rectangle No.	Boundary/Field Nos.
1	2	3	4	5	6	7	
							A strip of land 10,000 feet in length and varying in width lying generally in the direction from north west to south as demarcated at site and shown on the index plan.
1.	Bhiwani	Bawani Khera.	Ratera	34	2.93	214	10, 11, 20, 21
						215	5, 6, 15, 16, 25
						238	1, 10, 11, 20, 21
						239	1, 10, 11, 20, 21, 25
						Path	326
						240	25

District	Tehsil	Village	Hadbast No.	Area in Acres	Rect. No.	Khasra No.
2. Bhiwani	Bawani Khera	Kirawar	38	5.63	67 21	68 5, 6/1, 6/2, 14, 17/1, 17/2, 23 69 1 96 3, 8, 9, 12, 19, 22, 23 97 2, 3, 8, 13, 18, 24, 17 125 4, 7, 14, 16, 17, 25 126 5/1, 5/2, 6, 15, 16, 25 127 21
3. Bhiwani	Bawani Khera	Khanak	33	2.81	66 1, 10, 11, 20, 21 67 5, 6, 15, 16, 25 97 5, 6, 15, 16, 25 98 1, 10, 11, 20, 21	
Total				11.37		

By order of Governor of Haryana.

INDER JIT BINDRA, HSE-I.

Superintending Engineer,  
Bhiwani Irrigation Circle,  
Canal Colony, Bhiwani, 125021.

PUBLIC WORKS DEPARTMENT  
BUILDING AND ROADS BRANCH

*Gurgaon Circle*

The 1st December, 1986

No. 28-GA-87/D/1979.—Whereas it appears to the Governor of Haryana that land is likely to be required to be taken by the Government, at public expenses, namely, constructing a road from Ferozepur Jhirka road to village Phondawas in Gurgaon District. It is, hereby notified that the land described in the specification below is required for the above purpose.

This notification is made under the provision of Section IV of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to the acquisition of any land in the locality, may within 30 days of the publication of this notification, file objection in writing before the Land Acquisition Collector, P. W. D., B. and R. Branch, Ambala Cantt.

## SPECIFICATION

District	Tehsil	Locality/ village	H. B. No.	Area in Acres	Khasra Nos.
Gurgaon	Ferozpur Jhirka	Biwan	148	$\frac{3838 \times 50}{9 \times 4840} = 4.40$	<div>11</div> <div>12/1, 12/2, 13, 18/1, 18/2, 19/1, 19/2, 22/2, 23.</div> <div>25</div> <div>2/2, 3/1, 8, 9, 12, 13, 18/2, 19/1, 22/4, 23/1.</div> <div>31</div> <div>2, 3, 8, 9, 12, 13/1, 18/2, 19, 22, 23.</div> <div>46</div> <div>2/2, 3, 8, 9/1, 12, 13/1, 18/2, 19/1, 19/2, 19/3, 22/1, 22/2, 23/1, 23/3, 22/3, 21/3, 21/4, 23/4/5, 23/6.</div> <div>47, 50, 51</div> <div>25, 5, 1</div> <div>(222, 982, 983, 948, 991, 249, 250, 993, 993/1, 1008, 1010, 1059, 241, 262, 227).</div>
Total				4.40 Acres	

(Sd.) . . . .

Superintending Engineer,  
Gurgaon Circle P.W.D., B. and R. Branch.

## LABOUR DEPARTMENT

The 2nd December, 1986

No. 9/7/86-Lab/9519.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s. (i) Transport Commissioner, Haryana, Chandigarh. (ii) Haryana Roadways, Bhiwani :—

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 73 of 85

between

SHRI HUKAM CHAND, WORKMAN AND THE MANAGEMENT OF M/S. (i) TRANSPORT COMMISSIONER, HARYANA, CHANDIGARH, (ii) HARYANA ROADWAYS, BHIWANI

Present :

Shri Chetan Anand, A. R. for the workman.  
Shri Vijay Vir Singh, A. R., for the management.

## AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute between the workman Shri Hukam Chand and the management of M/s. (i) Transport Commissioner, Haryana, Chandigarh, (ii) Haryana Roadways, Bhiwani, to this Court, for adjudication, vide *Haryana Government Gazette*, Notification No. 20197-93, dated 3rd May, 1985:-

Whether the termination of services of Shri Hukam Chand, is justified and in order? If not, to what relief is he entitled?

2. After receipt of the order of reference, notices were issued to the parties. The parties appeared. The case of the petitioner is that he was employed initially as a Water Carrier and thereafter he was posted as Chowkidar in the respondent Roadways on 1st April, 1978 but the respondent choose to terminate his services unlawfully vide order dated 11th October, 1984, which was passed in flagrant disregard of the provision of the Industrial Disputes Act, 1947 (hereinafter referred to as the Act). So, he has prayed for reinstatement with continuity of service and full back wages.

3. In the reply filed by the respondent, it is alleged that initially the petitioner was appointed as Water Carrier on daily wages and continued as such, from 27th August, 1977 to 15th September, 1977 and that the job of the Water Carrier is seasonal one and so, he was given de novo appointment as Chowkidar on daily wages on 1st July, 1978 and thereafter his tenure of employment was extended from date to date and his tenure of employment was not renewed after 11th October, 1984.

4. On the pleadings of the parties, the following issues were framed for decision by me on 16th September, 1985:-

1. As per terms of reference.

5. The petitioner appeared as W-1 and the respondent examined MW-1 Shri Ran Singh, Clerk, Haryana Roadways, Bhiwani.

6. The learned Authorised Representatives of the parties heard.

7. On behalf of the respondent Shri Singh forcefully contended that since the petitioner's appointment was for a fixed tenure, which was extended from date to date, his case falls squarely within the exception appended to section 2(a) of the said Act, and as such, his termination on 14th November, 1984 cannot be said to be retrenchment as defined in the said section. The contention though tempting is patently illegal. There is no denying the fact that initially the petitioner was appointed as Water Carrier on daily wages and thereafter he was appointed as Chowkidar and his tenure of employment was extended from date to date, but from that inference can be drawn that his service was under any bilateral contract. In a recent authority reported in 1985 L.A.C. 1733 between H.D. Singh and Reserve Bank of India and others, Hon'ble Supreme Court of India has strongly deprecated the tendency amongst the employers to keep employees on *ad hoc* basis for long periods, just to deprive them from the statutory provisions of the said Act. Their Lordships further observed that such a practice squarely falls within the ambit of term unfair labour practices as defined in Schedule 5th section 2(ra). In the case under reference the employee was a coin counter, who used to be called by the respondent Reserve Bank of India at its whim and fancy and ultimately his services were terminated on the flimsy grounds that he has passed Matriculation Examination. Their Lordships while reinstating the workman with all benefits of previous service and full back wages passed strong structures against the Reserve Bank of India. The petitioner in the present case is in a far happy position, because his tenure of employment since the date he was appointed Chowkidar was absolutely uninterrupted. He remained on tenterhooks for more than 7½ years. This practice in the respondent Roadways deserves condemnation in the strongest possible terms. Admittedly, no retrenchment compensation or pay in lieu of notice period is envisaged under section 25F of the said Act was paid to the petitioner before termination of his service. So, his termination was void *ab initio* and as such, order of termination cannot be sustained being unlawful. The petitioner raised the demand notice within ten days of his termination, because the demand notice received alongwith the order of reference dated 22nd October, 1984. So, on the question of back wages he must succeed, accordingly the petitioner is ordered to be reinstated with continuity of service and full back wages. Reference is answered 1 and returned accordingly with no order as to costs.

B. P. JINDAL,

Dated, 25th September, 1986.

Presiding Officer,  
Labour Court, Rohtak.

Endorsement No. 73-85/1432, dated the 6th October, 1986.

Forwarded (four copies), to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,

Labour Court, Rohtak,

Camp Court, Hisar.

KULAWNT SINGH,

Secretary to Government, Haryana,  
Labour and Employment Department.